



# ETON TOWN COUNCIL

## STANDING ORDERS<sup>1</sup>

### PREFACE

The wording and inclusion of some clauses written in **bold type** is compulsory by law.

In what follows the terms Chair and Vice-Chair are synonymous with Mayor and Deputy Mayor, respectively.

#### 1. Proper Officer

The Proper Officer shall be either (i) the Clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.

The Proper Officer shall:

- a) **At least three clear days before a meeting of the Council, a committee or a sub-committee, serve on Councillors, by delivery or post, at their residences, a signed summons confirming the time, place and the agenda.** This can also be by email, provided any such email contains the electronic signature and title of the Proper Officer;
- b) **give public notice of the time, place and agenda at least three clear days before a meeting of the Council or a meeting of any committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);**
- c) subject to standing order 1a) above, include on the agenda all motions in the order received unless a Councillor has given written notice at least seven days before the meeting confirming his/her withdrawal of it;
- d) **convene a meeting of full Council for the election of a new Chair of the Council, occasioned by a casual vacancy of this office;**
- e) facilitate inspection of the minute book by electors;

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<sup>1</sup> The basis for these orders is the version published at <http://askyourCouncil.uk> but adapted in the light of the current (2019) standing orders issued by the then Town Clerk, Paul Collins, in 2010. That earlier version was based on the Model Standing Orders produced by the Society of Local Council Clerks.

- f) retain acceptance of office forms from Councillors;
- g) retain a copy of every Councillor's register of interests;
- h) assist with responding to requests made under the [Freedom of Information Act 2018](#) and Data Protection Act 1998, in accordance with and subject to the Council's policies and procedures relating to the same;
- i) receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary in accordance with and subject to the Council's policies and procedures relating to the same;
- j) manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form in accordance with and subject to the Council's policies and procedures relating to the same;
- k) arrange for legal deeds to be executed;
- l) arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;
- m) planning applications notified to the Council shall be forwarded to the Chair and the Vice-Chair within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council;
- n) oversee the process by which appropriate planning applications are considered by the Councillors designated i/c planning for Eton and Eton Wick respectively.
- o) manage access to information about the Council via noticeboards, the Council website and such other means as are deemed appropriate by the Council;
- p) ensure that a copy of these Standing Orders is accessible in the Council Chamber for the duration of every Council and/or Committee meeting

## **2. The Annual Meeting**

- a) In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
- b) In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**
- c) The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair of the Council.**

- d) **The Chair of the Council, unless s/he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until a successor is elected at the next annual meeting of the Council.**
- e) **The Vice-Chair of the Council, if any, unless s/he resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- f) **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, s/he shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.**
- g) **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, s/he shall preside at the meeting until a new Chair of the Council has been elected. He may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.**
- h) Following the election of the Chair of the Council and Vice-Chair of the Council at the annual meeting of the Council, the business of the annual meeting shall include:
  - 1. **in an election year, delivery by the Chair of the Council and Councillors of their acceptance of office and undertakings to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received, unless the Council resolves for this to be done at a later date.**
  - 2. **In a year which is not an election year, delivery by the Chair of the Council of his/her acceptance of office form unless the Council resolves for this to be done at a later date;**
  - 3. Deciding when any declarations of acceptance of office which have not been received as provided by law shall be received;
  - 4. Deciding how to fill any vacancies left unfilled at the election by reason of insufficient nominations;
  - 5. Appointing representatives to relevant outside bodies;
  - 6. Appointing members to existing committees.
- i) After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be determined by the agenda previously circulated. This must include:
  - 1. Approval of the minutes of the last annual meeting;

2. Review of the terms of reference for committees;
3. Review and adoption of appropriate standing orders and financial regulations;
4. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
5. Review of representation on or work with external bodies and arrangements for reporting back;
6. Review of inventory of land and assets including buildings and office equipment;
7. Confirmation of arrangements for insurance cover in respect of all insured risks;
8. Review of the Council's and/or staff subscriptions to other bodies;
9. Review of the Council's complaints procedure;
10. Review of the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
11. Review of the Council's policy for dealing with the press/media; and
12. Determining the time and place of ordinary meetings of the full Council up to and including the next annual meeting of full Council.

### **3. Meetings generally**

- a) **Full Council meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b) **The minimum three clear days for notice of a Full Council meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c) **The minimum three clear days' public notice of a Committee meeting does not include the day on which the notice was issued or the day of the meeting.**
- d) **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's**

**exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**

- e) **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- f) At every meeting the first business shall be to appoint a Chair if the Chair and Vice-Chair be absent.
- g) Following discussion of an agenda item by Councillors, the Chair may allow members of the public to make representations, ask and answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- h) Subject to standing order 3(g) above, a member of the public shall not speak for more than 3 minutes.
- i) In accordance with standing order 3(g) above, a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.
- j) A person wishing to speak should indicate to the Chair by raising his/her hand.
- k) Whenever the Chair speaks during a debate all other members shall be silent.
- l) Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
- m) A person who speaks at a meeting shall direct his/her comments to the Chair of the meeting and remain seated, unless asked to stand by the Chair.
- n) **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her absence be done by, to or before the Vice-Chair of the Council.**
- o) **At full Council Meetings, the Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- p) **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors with voting rights present and voting.**

- q) **The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her casting vote whether or not he gave an original vote. See standing order 2 for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.**
- r) **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his/her vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- s) At full Council meetings, no business may be transacted at a meeting unless at least five members of the Council are present. See standing order 13 for the quorum of a committee or sub-committee meeting.
- t) **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting. A meeting shall not exceed a period of two-and-a-half hours except at the discretion of the Chair.
- u) If a Councillor fails throughout six consecutive months to attend any meetings of the Council or of its committees of which s/he is a member, s/he ceases automatically to be a member of the Council unless either s/he has a 'statutory excuse' or his/her failure is due to a reason approved by the Council. The period begins from the date of the last meeting attended.
- v) The Openness of Local Government Bodies Regulations 2014 provides that **a person may** not orally report or comment about a meeting as it takes place if s/he is present at the meeting of a Town Council or its committees but otherwise may:
  - 1. **film, photograph or make an audio recording of a meeting;**
  - 2. **use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;**
  - 3. **report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.**

#### **4. The agenda**

The agenda of full Council meetings will:

- 1. record the attendance of those present and any apologies for absence;
- 2. attend to any business carried forward from previous meetings or matters arising;

3. receive a report from the Mayor about his/her activities since the previous meeting;
4. receive a report or reports from the Councillors for Eton and Castle and provide an opportunity for them to answer questions from Town Councillors;
5. receive a report on the correspondence received by the Council;
6. receive written or verbal reports from external organisations such as the Chair deems appropriate and allow Councillors the opportunity to ask questions about them;
7. include an opportunity (Public Forum) for members of the public to speak at meetings of the Council on a specified matter. If anyone wishes to speak they must let the Clerk know by 5.00pm on the Monday preceding the Council meeting (1 day's grace shall be given should this fall on a bank holiday). The Chair will not normally allow members of the public to speak if they have failed to notify the Council as stated above of their wish to speak. The amount of time allocated to any speaker shall not exceed three minutes. If more than one member of the public wishes to speak then the total time allocated to a specified matter shall not exceed nine minutes in total. If there are a number of people who wish to speak on a particular matter, they should agree amongst themselves to appoint up to three spokespersons so that no subject is allocated more than 9 minutes in total. If those wishing to speak are unable to agree amongst themselves, the Chairman shall call them strictly in the order their request to speak was received.
8. where appropriate, receive written or verbal reports from Councillors who represent the Council on external bodies;
9. receive and consider reports and minutes of committees as appropriate.
10. consider resolutions or recommendations in the order in which they have been notified;
11. include a financial report and, after any necessary discussion, the opportunity to authorise the signing of orders for payment;
12. deal with business expressly required by statute to be done.
13. Review and comment where necessary on planning applications received during the previous month.

## **5. The Minutes**

- a) The minutes of a meeting shall include an accurate record of the following:

1. the time and place of the meeting;
  2. the names of Councillors present and absent and other persons present;
  3. interests that have been declared by Councillors and non-Councillors with voting rights;
  4. whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered;
  5. if there was a public participation session;
  6. any actions which were allotted to particular individuals; and
  7. the resolutions made.
- b) The draft minutes of the preceding meeting will be circulated to Councillors by email within seven days of the meeting.
1. There shall be no discussion about the draft minutes of the preceding meeting except in relation to their accuracy and this shall be at the next Council meeting. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 7a) 1. below.
  2. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
  3. If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:  
  
*“The Chair of this meeting does not believe that the minutes of the meeting held on [date] in respect of ( ) were a correct record but his/her view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”*
  4. Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

## **6. Motions that require written notice to be given to the Proper Officer**

- a) A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the Council's statutory

functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

- b) No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least seven days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c) The Proper Officer may, before including a motion on the agenda received in accordance with standing order 6 b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d) If the Proper Officer considers the wording of a motion received in accordance with standing order 6 b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least five clear days before the meeting.
- e) If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f) Subject to standing order 6 b) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g) Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- h) Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

## **7. Motions that can be moved without notice to the Proper Officer**

- a) The following motions may be moved at a meeting without written notice to the Proper Officer:
  - 1. to correct an inaccuracy in the draft minutes of a meeting;
  - 2. to move to a vote;
  - 3. to amend the resolution;
  - 4. to defer consideration of a motion;
  - 5. to refer a motion to a particular committee or sub-committee;
  - 6. to appoint a person to preside at a meeting;
  - 7. to change the order of business on the agenda;

8. to proceed to the next business on the agenda;
9. to require a written report;
10. to appoint a committee or sub-committee and their members;
11. to extend the time limits for speaking;
12. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
13. to not hear further from a Councillor or a member of the public;
14. to exclude a Councillor or member of the public for disorderly conduct;
15. to temporarily suspend the meeting;
16. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
17. to adjourn the meeting; or
18. to close a meeting.

## **8. Rules of Debate**

- a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chair, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- b) A Councillor when seconding a resolution or amendment may, if s/he then declares his/her intention to do so, reserve his/her speech until a later period of the debate.
- c) A Councillor shall direct his/her speech to the question under discussion or to a personal explanation or to a question of order.
- d) No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 3 minutes except by consent of the Council.
- e) An amendment shall be either: -
  - i. To leave out words.
  - ii. To leave out words and insert others
  - iii. To insert or add words.

An amendment shall not have the effect of negating the resolution before the Council.

- f) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the substantive resolution upon which any further amendment may be moved.
- g) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- h) A Councillor, other than the mover of a resolution, shall not, without permission of the Chair, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.
- i) A Councillor may speak on a point of order or a personal explanation. A Councillor speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood.
- j) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no Councillor may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- k) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
- l) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- m) A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
- n) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- o) An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chair of the meeting, is expressed in writing to the Chair.
- p) A Councillor may move an amendment to his/her own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- q) If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair.

- r) Subject to standing order 8 s) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.
- s) One or more amendments may be discussed together if the Chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- t) A Councillor may not move more than one amendment to an original or substantive motion.
- u) The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion. The mover of an amendment has no right of reply at the end of debate on it.
- v) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- w) A point of order shall be decided by the Chair of the meeting and his/her decision shall be final.

Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her right of reply.

## **9. Handling confidential or sensitive information**

- a) The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b) Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## **10. Disorderly Conduct**

- a) All members must observe the Code of Conduct which was adopted by the Council on 3<sup>rd</sup> October, 2019, a copy of which is annexed to these Standing Orders.
- b) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.

- c) If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any Councillor or the Chair of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- d) If a resolution made under standing order b) above is ignored, the Chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## **11. Voting on Appointments and Co-option to the Council**

- a) Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour.
- b) When one or more positions on the Council are vacated or left unfilled, the Council will agree the following so that the recruitment of candidates is seen to be transparent, inclusive, and democratic:
  - 1. The wording of a circular to advertise the vacancy(ies) and where it should be published and posted;
  - 2. The time period during which applications can be accepted by the Clerk;
  - 3. The interview process to be used by the Council;
  - 4. The announcement of the appointment.

## **12. Execution of Legal Deeds**

- a) A legal deed shall not be executed on behalf of the Council unless authorised by resolution.
- b) Subject to 12 a) above, any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

## **13. Committees and Sub Committees**

- a) **Unless the Council determines otherwise, a committee may appoint a sub- committee whose terms of reference and members shall be determined by the committee.**
- b) **The members of a committee may include non-Councillors unless it is a committee which regulates and controls the finances of the Council.**

- c) **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non- Councillors.**
- d) Every committee may appoint sub-committees for purposes to be specified by the committee.
- e) The Chair and/or Vice-Chair of the committee shall be member(s) of every sub-committee.
- f) Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-half of its members.
- g) The Standing Orders on rules of debate shall apply to committee and sub-committee meetings.
- h) The Council may appoint standing committees or other committees as may be necessary, and:
1. shall determine their terms of reference;
  2. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full Council;
  3. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  4. shall, subject to standing orders 13(b) and (c) above, appoint and determine the terms of office of members of such a committee;
  5. may, subject to standing orders 13(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer seven days before the meeting that they are unable to attend;
  6. shall, after it has appointed the members of a standing committee, appoint the Chair of the standing committee;
  7. shall permit a committee other than a standing committee, to appoint its own Chair at the first meeting of the committee;
  8. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three and there must be representation from both Eton and Eton Wick councillors except in cases where a committee has a limited remit only to consider Eton or Eton Wick;
  9. shall determine if the public may participate at a meeting of a committee;

10. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
11. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend;
12. may dissolve a committee;

#### **14. Extraordinary meetings of the Council and committees and sub-committees**

- a) **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b) **If the Chair of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.**
- c) The Chair of a committee may convene an extraordinary meeting of the committee at any time.
- d) If the Chair of a committee does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by four members of the committee, any four members of the committee may convene an extraordinary meeting of a committee.

#### **15. Advisory Committees**

- a) The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- b) The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.
- c) An advisory committee may make recommendations and give notice thereof to the Council
- d) An advisory committee may consist wholly of persons who are not members of the Council.

#### **16. Voting in Committees**

- a) Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.

- b) Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.
- c) A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his/her resolution to the committee but shall not vote.

### **17. Interests**

- a) A Councillor who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his/her right to participate and vote on that matter.
- b) The Clerk is required to compile and maintain a register of member's interests in accordance with agreement reached with the Monitoring Officer of RBWM and/or as required by statute.
- c) If a candidate for any appointment under the Council is to his/her knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure.

### **18. Canvassing of and Recommendations by Members**

- a) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- b) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c) Standing orders a) and b) shall apply to tenders as if the person making the tender were a candidate for an appointment.

### **19. Unauthorised Activities**

- a) No member of the Council or of any committee or sub-committee shall, in the name of or on behalf of the Council: -

1. Inspect any lands or premises which the Council has a right or duty to inspect; or
2. Issue orders, instructions or directions,

unless authorised to do so by the Council or the relevant committee or sub-committee.

## **20. Admission of the Public and Press to Meetings**

- a) The public and press shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public by means of the following resolutions: -

*“That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw”*

- b) The Council shall state the special reason for exclusion.
- c) At all meetings of the Council the Chair may at his/her discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
- d) If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

## **21. Confidential Business**

- a) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
- b) Any member in breach of the provisions of paragraph a) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

## **22. Financial controls and procurement**

The Responsible Financial Officer shall be either (i) the Clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the RFO when s/he is absent.

The Council adopts and operates according to the Financial Regulations produced by NALC (July 2019) with amended financial limits as approved by the Council from time to time.

### **23. Handling staff matters**

- a. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded.
- b. The Chair or Vice-Chair will report to the Council any significant staff absence occasioned by illness or other reason at its next meeting.
- c. The Chair or in his/her absence, the Vice-Chair shall conduct a review of the performance and annual appraisal of the work of each employee according to the Council's Employment Policy. The review and appraisal shall be reported in writing to the Council and is subject to approval by resolution.
- d. The handling of grievance, disciplinary, capability and other employment matters shall be handled according to the relevant Council Policies.
- e. The Council shall keep all written records relating the performance, capabilities, grievance or disciplinary matters of employees confidential and secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- f. Only persons with line management responsibilities shall have access to staff records.
- g. Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 24(f) above shall be provided only to the post holder and/or the Chair of the Council.
- h. In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees.

### **24. Requests for information**

- a. Requests for information held by the Council shall be handled in accordance with the [Freedom of Information Act 2018](#) and the Data Protection Act 1998.
- b. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of the Council.

### **25. Relations with the press/media**

- a) Requests from the press or other media for an oral or written comment or statement from the Council, its Councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

## 26. Code of conduct and dispensations

- a) All Councillors and non-Councillors with voting rights shall observe the code of conduct adopted by the Council.
- b) Unless s/he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which s/he has a personal or prejudicial interest. S/he may return to the meeting after it has considered the matter in which he had the interest. See the Code of Conduct for more information regarding the disclosure of interests.
- c) Unless s/he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which s/he has another interest if so required by the Council's code of conduct. S/he may return to the meeting after it has considered the matter in which s/he had the interest.
- d) **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e) A decision as to whether to grant a dispensation shall be made by a meeting of the Council for which the dispensation is required and that decision is final.
- f) A dispensation request shall confirm:
  - 1. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - 2. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - 3. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - 4. an explanation as to why the dispensation is sought.
- g) Subject to standing orders 26(d) and (f) above, dispensations requests shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.

h) **A dispensation may be granted in accordance with standing order 26(e) above if having regard to all relevant circumstances the following applies:**

- 1. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business, or**
- 2. granting the dispensation is in the interests of persons living in the Council's area, or**
- 3. it is otherwise appropriate to grant a dispensation.**

## **27. Code of conduct complaints**

- a) Upon notification by RBWM that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 9 above, report this to the Council.
- b) Upon notification by RBWM that a Councillor has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him/her. Such action excludes disqualification or suspension from office.**
- c) Where the notification in standing order 27(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to be taken.
- d) The Council may:
  1. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  2. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

## **28. Standing Orders to be given to Members**

- a) All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b) A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion and supported by at least seven Councillors.

- c) The Proper Officer shall provide a copy of the Council's standing orders to a Councillor as soon as possible after he has delivered his/her acceptance of office form.
- d) The Clerk will ensure that a copy of the Standing Orders is available for consultation at every meeting.
- e) The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.

These Standing Orders were adopted by Eton Town Council at its meeting on 3<sup>rd</sup> December 2020.